

  
**de maximis, inc.**

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March 9, 2004

Mr. Joseph Cosentino  
United States Environmental Protection Agency  
2890 Woodbridge Avenue, Bldg. 209, Mail Stop 211  
Edison, New Jersey 08837

**VIA FAX AND U.S. MAIL**

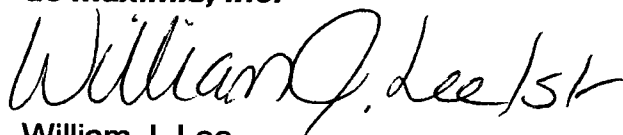
**RE: Bayonne Barrel & Drum Site, Newark, NJ  
Progress Report No. 1**

Dear Mr. Cosentino:

On behalf of the Bayonne Barrel & Participating Parties and pursuant to Paragraph 23 of the Administrative Order on Consent, enclosed please find three (3) copies of Progress Report No. 1 covering the period from December 27, 2003 through January 29, 2004.

Very truly yours,

**de maximis, inc.**

  
William J. Lee

cc: S. Flanagan, USEPA  
S. Kehayes, NJDEP  
J. Jones, City of Newark  
M. Storella, Kirkpatrick & Lockhart  
W. Hyatt, Kirkpatrick & Lockhart  
D. Reid-Green, BASF  
J. Vidumsky, DuPont

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**BAYONNE BARREL & DRUM SUPERFUND SITE  
PROGRESS REPORT NO. 1  
December 27, 2003 through January 29, 2004**

***Description of the Actions Taken Toward Achieving Compliance with the Administrative Order on Consent Since the Previous Report:***

- The Respondents notified EPA by letter dated January 2, 2004 of their designation of *de maximis* as the Project Coordinator.
- Prior to entry of the Administrative Order on Consent, EPA was informed that Code Environmental, Inc. was selected by competitive bidding for the proposed demolition contracting services under the Order. A preliminary kick-off meeting was held with EPA at *de maximis*' Clinton, NJ office in December 2003 which included a presentation to EPA of the credentials for Code Environmental, Inc. The primary purpose of the meeting was to discuss Code's plan for construction operations.
- A meeting was attended on January 14, 2004 at EPA's Edison, NJ office, by representatives from Kirkpatrick & Lockhart (Respondent's counsel), *de maximis* (Project Coordinator), Code Environmental (demolition contractor) Quest Environmental (environmental field services and consultant), EPA, NJDEP and the City of Newark. The key issues discussed at the meeting included access, site security, remedy selection, and the schedule for both the AOC scope of work and the remedial investigation being performed pursuant to a Memorandum of Agreement between the Respondents and the NJDEP.
- Documents substantially comprising the Work Plan were submitted in electronic format as requested, and were approved by EPA in February 2004. The approved Work Plan documents include the Health and Safety Plan (HSP), the Sampling and Analysis Plan (SAP), and the Construction Operations Plan COP, with the exception of the Transportation and Disposal (T&D) Plan prepared as a subset to the Construction Operations Plan. Final preparation, submittal and approval of the T&D Plan is pending completion of waste characterization and approval from the applicable disposal facilities. Wastes will not be transferred off-site prior to EPA's approval of the T&D Plan, except for cleanup of the debris recently deposited on-site, in order to establish site operations.

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- Code Environmental, Inc. mobilized to the site on February 11, 2004 and initiated site preparation activities, such as brush clearing. Site security was established by Code Environmental on February 14, 2004, including night time security services following their consultation with the local police representatives.
- Upon EPA's approval of the SAP, Code performed waste characterization sampling of certain waste streams, including the above ground storage tank and the ash piles.
- The Right-of-Entry between the City of Newark and **de maximis** expired on January 20, 2004, and has been extended through May 24, 2004.

***Summary of all Results of Sampling, Tests or Other Data Received or Generated Since the Previous Report:***

None.

***Completed Deliverables Since the Previous Report:***

None.

***Actions Planned Prior to Submittal of Next Two Reports:***

- Complete waste characterization sampling and obtain disposal facility approvals.
- Obtain approval of the T&D Plan.
- Initiate asbestos removal, pursuant to the EPA-approved COP.
- Initiate building demolition activities
- Remove above and below ground storage tanks and their contents.
- Progress Report No. 2 - March 2004

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**Progress Report No. 1**  
**March 9, 2004**

***Percentage Completion:***

Work Plan Submittal and Approval- 90%  
Construction Operations Plan Implementation - 5%  
Post-Removal Site Control Plan - 0%  
Final Report - 0%

***Delays Encountered or Anticipated:***

None.